

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/766,298	ATTY. DOCKET NO.: S1404.70004US01
				FILING DATE: January 27, 2004	CONFIRMATION NO.: Not Yet Assigned
				APPLICANT: David Spencer	
				GROUP ART UNIT: Not Yet Assigned	EXAMINER: Not Yet Assigned
Sheet	1	of	2		

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
TM	A1*	3,937,953		Stafford R. Wayne et al.	02-10-1976
TM	A2*	4,317,521		Clark et al.	03-02-1982
TM	A3*	4,606,760		Fritz et al.	08-09-1986
TM	A4*	4,655,437		Fritz et al.	04-07-1987
TM	A5*	4,834,870		Osterberg et al.	05-30-1989
TM	A6*	4,848,590		Kelly	07-18-1989
TM	A7*	4,869,811		Wolanski et al.	09-26-1989
TM	A8*	5,060,871		Brassinga et al.	10-29-1991
TM	A9*	5,236,092		Krotkov et al.	08-17-1993
TM	A10*	5,260,576		Sommer, Jr. et al.	11-09-1993
TM	A11*	5,418,826		Sato et al.	05-1995
TM	A12*	5,424,959		Reyes et al.	06-1995
TM	A13*	5,520,290		Kumar et al.	05-28-1996
TM	A14*	5,570,406		Komatani	10-1996
TM	A15*	5,663,997		Willis et al.	09-02-1997
TM	A16*	5,676,256		Kumar et al.	10-14-1997
TM	A17*	5,738,224		Sommer, Jr. et al.	04-14-1998
TM	A18*	5,902,177		Tessier et al.	05-11-1999
TM	A19*	5,931,308		Gesing et al.	08-03-1999
TM	A20*	6,266,390		Sommer, Jr. et al.	07-24-2001
TM	A21*	6,519,315	B2	Sommer, Jr. et al.	02-11-2003
TM	A22*	6,545,240	B2	Kumar	04-08-2003

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
TM	B1	WO	99/61671			02-12-1999	
TM	B2	WO	01/21317	A1		03-29-2001	
TM	B3	WO	02/50521	A2		06-27-2002	
TM	B4	CA	1073408			03-11-1980	
TM	B5	CA	702,263			01-19-1965	
TM	B6	CA	897800			04-11-1972	
TM	B7	CA	923601			03-27-1973	
TM	B8	JA	10-216651			08-18-1998	N

FORM PTO-1449/A and B (Modified) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/766,298	ATTY. DOCKET NO.: S1404.70004US01	
				RECEIVED MAY 13 2004 PATENT & TRADEMARK OFFICE	RECEIVED MAY 13 2004 PATENT & TRADEMARK OFFICE	RECEIVED MAY 13 2004 PATENT & TRADEMARK OFFICE
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				APPLICANT: David Spencer		
				GROUP ART UNIT: Not Yet Assigned	EXAMINER: Not Yet Assigned	

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
TM	C1	Yin L. et al, "A Pattern Recognition Approach in x-ray fluorescence analysis" <i>nuclear Instruments &amp; Methods in Physics Research, Section - A: Accelerators, Spectrometers, Detectors and Associated Equipment</i> , NL, North-Holland Publishing Co., Amsterdam, Vol. A277, no. 2/3 + index, 1 May 1989, pgs 619-626	
TM	C2	Patent Abstracts of JAPAN, Vol. 1998, no. 13, 30 Nov. 1998; JP 10 216651 A (Ishikawajima Harima Heavy Ind Co. Ltd), 18 Aug 1998	
TM	C3	TN Spectrace, "Alloy Analyzer: Lightweight and portable, the TN Alloy Analyzer is a non-destructive, easy-to-use and accurate alloy identification and analysis tool" advertisement, 1992 (2 sheets)	
TM	C4	TN Technologies, "Alloy Analysis" Application Information Form, July 1997 (2 pages)	
TM	C5	Norman F. Johnson, "Replacing antiquated acid spot testing with a portable metal analyzer" <i>American Laboratory News Edition</i> , June 1991 (4 pages)	
TM	C6	TN Technologies, "The Metallurgist Pro" advertisement, 12/98 (2 pages)	
TM	C7	Niton Corporation, "Are you losing money selling too many loads of unsorted scrap?" flyer for the Alloy Analyzer (1 page)	
TM	C8	Niton Corporation, "Niton Alloy Analyzer" advertisement (2 pages)	
TM	C9	Arun Technology, Inc., A Roxboro Group Company, "The New Metalsort 1610" order form (1 page)	
TM	C10	Arun Technology, Inc., "Bangs or Bucks" mailer for the Metalscan 1650 and Metalscan 2000 (2 pages)	
TM	C11	TN Technologies, "Metals Sorting & Analysis" advertisement for the Metallurgist Pro (2 pages)	
TM	C12	TN Spectrace, "Power Solutions for Materials Analysis" booklet for Metallurgist® (8 pages)	
TM	C13	TN Spectrace, "Metallurgist® System Specifications," information sheet (1 page)	
TM	C14	Niton Corporation, "Leader in Portable XRF Technology" information booklet regarding the XL-309 Spectrum Analyzer Lead Detector and the 700 series Multi-Element Spectrum Analyzer (8 pages)	
TM	C15	TN Technologies, "Metallurgist Pro: Alloy Analysis and Metal Sorting" advertisement in <i>Recycling Today</i> , p. 68 November 199?? (1 page)	
TM	C16	Spectro Analytical Instruments, "The Profit Machine" advertisement in <i>Recycling Today</i> , p. 69, November 199?? (1 page)	
TM	C17	9266 Alloy Analyzer, Full Library Alloy List (Version S) Alphabetical and Table 4.2A Abbreviated Library Alloy List Alphabetical (2 pages)	
TM	C18	9277 Metallurgist-XR, Table 1A Alloy Library Categorized List (2 pages)	

EXAMINER

DATE CONSIDERED

8/12/05

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided in accordance with the waiver notice of July 11, 2003 from the Patent and Trademark Office.